

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS, EL PASO DIVISION

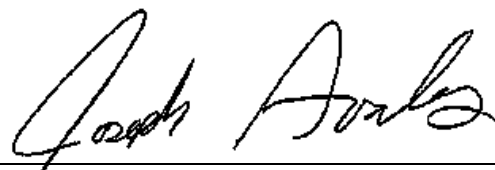
USA vs. (1) Wilmer Edgardo Mendez-Euca	§ § § § §	CRIMINAL COMPLAINT CASE NUMBER: EP:18-M -01691(1) - LS
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I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **March 18, 2018** in **Hudspeth** county, in the **WESTERN DISTRICT OF TEXAS** defendant did, being an alien to the United States, enter, attempt to enter, and was found in the United States after having been previously excluded, deported, and removed from the United States without receiving permission to reapply for admission to the United States from the Attorney General of the United States and the Secretary of Homeland Security, the successor pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557 in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: *"The DEFENDANT, Wilmer Edgardo MENDEZ-Euca, an alien to the United States and a citizen of Honduras was found in the United States on March 18, 2018 in Sierra Blanca, Texas in the Western District of Texas. From statements made by the*

Continued on the attached sheet and made a part of hereof.

Sworn to before me,



Signature of Complainant
Avalos, Joseph D.
Border Patrol Agent

March 19, 2018
Date

at EL PASO, Texas
City and State

LEON SCHYDLOWER
UNITED STATES MAGISTRATE JUDGE



Signature of Judicial Officer
**OATH TELEPHONICALLY SWORN
AT 01:00 P.M.
FED.R.CRIM.P. 4.1(b)(2)(A)**

WESTERN DISTRICT OF TEXAS

(1) Wilmer Edgardo Mendez-Euca

FACTS (CONTINUED)

DEFENDANT to the arresting agent, DEFENDANT was determined to be a native and citizen of Honduras, without immigration documents allowing him to be or remain in the United States legally. Defendant has been previously removed from the United States to Honduras on April 21, 2009 through San Antonio, Texas. Defendant has not received permission from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.

On March 18, 2018, United States Border Patrol Agent Norberto Martinez was assigned to traffic checkpoint duties at his duty station in Sierra Blanca, Texas. At approximately 1:45 a.m., an eastbound passenger bus entered the checkpoint for an immigration inspection of its passengers. Agent Martinez boarded the passenger bus and identified himself as a United States Border Patrol Agent. Agent Martinez proceeded to question the passengers as to their citizenship. Agent Martinez then questioned the DEFENDANT, Wilmer Edgardo MENDEZ-Euca, as to his citizenship. The DEFENDANT stated to Agent Martinez that he had documentation that he was here legally, but the documents were currently in San Bernardino, California. At that time, Agent Martinez escorted the DEFENDANT into the checkpoint office to determine the DEFENDANT'S immigration status. Once inside the checkpoint, queries were run revealing that the DEFENDANT had prior criminal and immigration history. It was determined that the DEFENDANT was a citizen of Honduras who had been previously removed and did not have any documentation that would allow the DEFENDANT to live or be in the United States legally. The DEFENDANT'S fingerprints and photo were enrolled in the E3/IDENT/NGI database yielding prior immigration history but no criminal history. The DEFENDANT stated he spoke and understood the SPANISH language and was advised of his rights utilizing CBP Form I-214 (Warning as to Rights). The DEFENDANT refused to sign form I-214. The DEFENDANT invoked his right to an attorney. Since his last removal, the DEFENDANT has neither asked nor received permission from the Secretary of the Department of Homeland Security to enter the United States legally and is therefore deemed illegally present in the United States. Further immigration records checks revealed that the DEFENDANT has been previously removed from the United States and has not received permission from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States. Because this Affidavit is being submitted for the limited purpose of establishing probable cause as set forth herein, I have not included each and every fact known to me concerning this investigation.

IMMIGRATION HISTORY:

The DEFENDANT has been deported 1 time(s), the last one being to HONDURAS on April 21, 2009, through SAN ANTONIO, TX.

CRIMINAL HISTORY:

On March 31, 2009, in Maverick, Texas, the DEFENDANT was Convicted of 8 USC 1325(a)(1)(M) and sentenced to 10 days jail. On July 20, 2015, in San Bernadino, California, the DEFENDANT was charged with domestic violence(F), however Prosecution was Declined.